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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No.: CR 05-00547 PJH
	)	
Plaintiff,	)	PARTIES' STIPULATION AND
	)	<del>PROPOSED</del> ORDER EXCLUDING TIME
	)	
DUKE DESHAWN WOODS,	)	
	)	
Defendant.	)	
	)	
	)	
	)	

The parties stipulate and agree, and the Court finds and holds, as follows:

1. The parties initially appeared in United States District Court on the instant matter on September 7, 2005. The matter was continued until October 5, 2005, for status.

2. The government indicated that discovery was not completed and was ongoing. There was a request that time be excluded based upon effective preparation of counsel.

3. In light of the foregoing facts, the failure to grant the requested exclusion would unreasonably deny counsel for the defense the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(A), (B)(iv). The ends of justice would be served by the Court excluding the proposed time period.

1 These ends outweigh the best interest of the public and the defendant in a speedy trial. See id. §  
2 3161(h)(8)(A).

3 4. For the reasons stated, the time period from September 7, 2005 through October 5, 2005,  
4 shall be excluded from the calculation of time under the Speedy Trial Act.

5 SO STIPULATED.

6 DATED: 9/13/05

Respectfully Submitted,


7  
8  
9 /s/  
SUSAN R. JERICH  
Assistant United States Attorney

10 DATED: 9/20/05

11  
12 /s/  
RONALD TYLER  
Counsel for Defendant Duke Deshawn Woods

13  
14 PURSUANT TO STIPULATION, IT IS SO ORDERED.

15  
16 DATED: 10/5/05

17   
HON. PHYLLIS J. HAMILTON  
United States District Judge

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the Parties' Stipulation and Proposed Order in the case of United States v. Duke Deshawn Woods, No. CR 05-00547 PJH, was served today as follows:

Via Hand Delivery  
Ronald Tyler  
Federal Public Defender's Office  
450 Golden Gate Avenue  
San Francisco, CA 94102

I certify under penalty of perjury that the foregoing is true and correct.

Executed on 9/13/05 at San Francisco, California.

\_\_\_\_\_/s/  
Rawaty Yim  
United States Attorney's Office